

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA

V.

JOEL A. SMITHERS,
Defendant,

ORDER
Case No. 1:17cr00027

This matter is before the court on the Motion For Extension Of Time To File Expert Report And To Release Records For Expert To Review, (Docket Item No. 111) (“Motion”), filed by counsel for the defendant. The Motion seeks to allow defense counsel to release certain medical records provided by the Government to Linda Cheek for her review and to grant the defendant an extension of time to provide an expert witness report from Cheek to the Government. This matter is scheduled for trial beginning April 29, 2019. Granting the defendant’s motion likely would cause yet another continuance of the trial of this case, which has been on the court’s docket since the return of the original Indictment on September 12, 2017, or result in prejudice to the Government. For these reasons, the Motion is **DENIED.**

The Clerk's Office shall provide a copy of this Order to all counsel of record.

ENTER: April 3, 2019.

/s/ Pamela Meade Sargent
UNITED STATES MAGISTRATE JUDGE